

**§3209-E. Net energy billing cost management**

**1. Definitions.** As used in this section, the following terms have the following meanings.

A. "Distributed generation resource" has the same meaning as in section 3209-D, subsection 1, paragraph A. [PL 2023, c. 411, §7 (NEW).]

B. "Net energy billing cost" means a cost borne by ratepayers that is determined by the commission to be reasonably attributable to distributed generation projects participating in net energy billing arrangements under section 3209-A and section 3209-B. [PL 2023, c. 411, §7 (NEW).]

C. "Opt-in program" means a program to reduce net energy billing costs in which a distributed generation resource may elect to participate. [PL 2023, c. 411, §7 (NEW).]  
[PL 2023, c. 411, §7 (NEW).]

**2. Opt-in programs.** The commission may develop and implement one or more opt-in programs in accordance with this section.

A. The commission shall conduct one or more proceedings to examine and evaluate opt-in program designs, including, but not limited to, designs that include long-term financial mechanisms and buy-down arrangements. In conducting an examination and evaluation in accordance with this paragraph, the commission shall consult with the Finance Authority of Maine and give preference to designs that enable the continued development and operation of distributed generation resources. [PL 2023, c. 411, §7 (NEW).]

B. After examining and evaluating opt-in programs under paragraph A, if the commission finds the implementation of an opt-in program to be in the public interest, the commission shall establish and implement the opt-in program by rule. [PL 2023, c. 411, §7 (NEW).]

C. The commission may not require a distributed generation resource to participate in an opt-in program established in accordance with this section. [PL 2023, c. 411, §7 (NEW).]  
[PL 2023, c. 411, §7 (NEW).]

**3. Rules.** The commission may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2023, c. 411, §7 (NEW).]

**SECTION HISTORY**

PL 2023, c. 411, §7 (NEW).

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